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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 28 June 1996 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a memorandum from the Russian Federation concerning the situation of the Russian-speaking population in Estonia (see annex).

I should be grateful if you would have the text of the memorandum circulated as an official document of the General Assembly, under item 113 (c) of the preliminary list.

(Signed) S. LAVROV

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ANNEX

Memorandum from the Russian Federation on the situation of the Russian-speaking population in Estonia

1. The Russian side is once again obliged to draw the attention of the authorities in Tallinn, its partners in the Organization for Security and Cooperation in Europe (OSCE) and international organizations to the situation of the Russian-speaking population in Estonia. It has to be noted, unfortunately, not only that the situation has not changed for the better, but that, despite the efforts made, it is tending to deteriorate.

2. Among many other problems, the following situation is now a matter of the utmost concern. According to information coming from Tallinn, on 12 July 1996 the internal identity cards of the former USSR will cease to be valid in the territory of Estonia and the time-limit set by the Estonian authorities for the issue of residence permits to those who have so far been unable to obtain Estonian citizenship will expire. Of the 335,000 applications from persons in this category, only 23,500 have been acted on by the authorities. The numerous assurances by official representatives of Estonia to the effect that all non-citizens would receive aliens' identity cards by that date have remained a dead letter. Such identity cards have been issued only to 1,500 persons.

Thus, unless urgent and essential steps are taken by the Estonian authorities, hundreds of thousands of permanent residents of Estonia will find themselves, with effect from 12 July 1996, without a basic identity document and without official residence permits; in other words, they will, in effect, be in a legal vacuum and will be deprived of many of the most important rights and freedoms, including the possibility of leaving and returning to the country without hindrance. Nor is the situation resolved by the issue to non-citizens of a temporary one-time exit document, which, with rare exceptions, is recognized by nobody and which takes a great deal of time to process.

The Russian-speaking inhabitants of territories adjoining the Russian-Estonian State boundary in the Narva-Ivangorod sector will be in a particularly difficult situation after 12 July, since they will be deprived of the possibility of travelling without hindrance to work in Russia and of visiting their relatives there.

3. Almost two years after the signing of the bilateral agreement on social security for pensioners of the Russian armed forces, the Estonian side is continuing, in essence, to avoid giving effect to it. Out of over 17,000 applications for residence permits submitted in due form, a favourable decision has been taken only on 5,000, and only about 350 Russian retirees and members of their families have actually received the documents.

After 12 July 1996, the overwhelming majority of Russian military pensioners and members of their families will essentially remain in Estonia without documents attesting to the legality of their presence in the country.

4. The situation involving the Russian-speaking population in Estonia is the consequence of Tallinn's policy aimed at establishing a mono-ethnic State and thus forcing the non-Estonian population out of the country. A major instrument in the attainment of this objective is the contrived slowing down of the pace of naturalization. The recommendations of OSCE and of United Nations bodies on the importance of simplifying and facilitating this process are being ignored. There has been a trend towards increasing rigidity in the practical application of the law. It was only in 1995 that laws on citizenship and language were adopted, exacerbating the situation of the Russian-speaking population. The new law on elections to local self-government bodies is designed to reduce the Russian-speaking electorate to a minimum, and creates largely insuperable barriers for candidates of non-Estonian nationality.

5. As a consequence of discriminatory legislation and high-handedness among civil servants, there has been a significant increase in Estonia in the number of applicants for Russian citizenship. The Russian side is doing everything in its power to ensure that some 107,000 of its citizens in Estonia receive internationally acceptable identity documents. However, the 65,000 expatriate Russian passports so far issued in Estonia will be effective only when the Estonian authorities enter residence permits in them.

The rights of citizens of the Russian Federation resident in Estonia are also being restricted by all available means. For example, unlike the vast majority of other States which the Russian side requested to agree to the opening of additional polling stations, during the parliamentary and presidential elections in Russia, in places with a high density of Russian citizens, the Estonian authorities refused such a request.

6. The most recent actions by the Estonian leadership confirm Tallinn's determination to continue its policy of discrimination against the Russian-speaking population permanently resident in Estonia. Tallinn is not even willing to implement its own, essentially discriminatory, decisions. The situation that is taking shape is causing increasing concern in Moscow. It must be recognized in Tallinn that lawlessness and high-handedness directed against the Russian-speaking population cannot fail to affect bilateral relations. Nor can the international community remain indifferent and silent when human rights are once again trampled on in Estonia. We express the hope that our partners, the United Nations, OSCE and the Council of Europe will exert the necessary influence on the Estonian authorities to ensure that hundreds of thousands of permanent residents in Estonia do not find themselves after 12 July 1996 in a still more complex and ultimately hopeless situation.

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